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Paper No. 11

CURTIS D. KINGHORN  
MEDTRONIC, INC.  
710 MEDTRONIC PARKWAY NE  
MINNEAPOLIS, MN 55432

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**JUN 01 2004**

**OFFICE OF PETITIONS**

In re Application of  
William J. Bertrand, et al.  
Application No. 09/745,108  
Filed: December 20, 2000  
Attorney Docket No. P-8640.02

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 24, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed July 5, 2001, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on October 6, 2001.

The above-identified application has been abandoned for an extended period of time. The US Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting the statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. See Changes to Patent Practice and Procedure, 62 Fed. Reg. At 53160 and 53178; 1203 Off. Gaz. Office at 88 and 103 (responses to comments 64 and 109 (applicant obligated under 37 CFR 10.18 to inquire into the underlying facts and circumstances when providing the statement required by 37 CFR 1.137(b) to the US Patent and Trademark Office)).

The application file is being forwarded to Technology Center 3700, Art Unit 3763 for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-5594.

Retta Williams  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy